

New Jersey

A. STATE-AT-A-GLANCE

1)	Program Operation	State supervised and county administered
2)	Number of Local Offices (excluding Agencies under Cooperative Agreements)	21 county welfare agencies
3)	Type of Agencies with Cooperative Agreements	Administrative Office of the Courts, 19 County Sheriff Departments, 3 County Departments of Law, Department of Labor, Division of Youth & Family Services
4)	Uniform Interstate Family Support Act	NO
5)	Agreements With Tribal Entities	None
6)	Age of Majority for Termination of Support	Determined by the court on case by case basis
7)	Statutes of Limitation:	
	• Collection of Past Due Support	None
	• Paternity Establishment	5 years beyond the child's 18th birthday
	• Dormancy Revival/Renewal Possible [yes/no]	Yes
8)	Guidelines	Shared Income Model
9)	Interest Rates on	Interest rate established annually in accordance with Court Rule 4:42-11 and is primarily assessed upon satisfaction of judgment
	• Missed Payments	
	• Retroactive Support	
	• Adjudicated Arrearage	
10)	Arrearage Collections for Non-minor Child(ren)	Yes, all mechanisms except federal tax offset
11)	Distribution Scheme	Current support, current arrears, court ordered

	arrears
• AFDC Arrears	
• Non-AFDC Arrears	
12) Procedures Regarding Medical Support Using Income Withholding	YES
13) New Hire Reporting	NO
14) Recovery of Costs Elected Under State Plan	NO
15) Recovery of Costs for Initiating State	NO
16) Long-Arm Statute/s Citation/s	Yes
17) Automated Locate Resources	DOL, FPLS, Employment Security, Department of Treasury, Division of Motor Vehicles
18) Enforcement Options	
• State Income Tax Refund Intercept	YES
• License Revocation/ Suspension	YES
• Administrative Liens	YES
• Property Seizure & Sale	NO
• State Funds/Benefits (please specify)	Yes, worker's compensation, unemployment compensation, homestead rebates
• Other (please specify)	Lottery winnings, civil suit settlements/awards, bank accounts
19) Spousal Maintenance Orders (specify yes or no)	
• Establish	NO
• Enforce	Yes, when child support is also included in order

• Modify	NO
20) Current Spouse/Partner Information Required	Yes, if other dependent deduction is being claimed

B. UNIFORM INTERSTATE FAMILY SUPPORT ACT

1) State Code Citation	N/A
2) Effective Date	
3) Adopted Verbatim? If no, list differences.	
4) Repeal URESA?	
5) Repeal IWW?	

C. INCOME WITHHOLDING

1) Income Withholding Terminology	Income withholding, wage withholding, wage execution
2) Income Withholding Procedures	
• State Withholding Limits	Maximum amount permitted under section 303(b) of the federal Consumer Credit Protection Act (15 U.S.C. § 1673(b))
• Fee Charged by Employers	\$1.00
• Date to Remit	same day obligor is paid
• Penalty	liable for any amount up to the accumulated amount the payor should have withheld from the obligor's income
3) Definition of Employer	any payor of income to an obligor
4) Included Income	commissions, salaries, earning, wages, rent monies, unemployment compensation, worker's compensation, any legal or equitable interest or entitlement owed that was acquired by cause of action, suit, claim or counterclaim, insurance benefits, claims, assets of estates, trusts, tax refunds, homestead rebates, State lottery

	winnings, casino and racetrack winnings, annuities, retirement benefits, veteran's benefits, union benefits, or other source that may may be defined as "income"
5) Excluded Income	AFDC/ TANF, Food Stamps, General Assistance and Supplemental Security Income for the Aged, Blind or Disabled, VA Disability
6) Direct Income Withholding for Unemployment Compensation, include address	No; URESA request for Interstate Income Withholding
7) Direct Income for Workers' Compensation, include address	No; URESA request for Interstate Income Withholding
8) Direct Income Withholding, other income sources subject to, include address	No; URESA request for Interstate Income Withholding
9) Direct Income Withholding, list Other Income Sources NOT subject to	N/A
10) Federal Withholding (See Federal Pay Agents Section)	IV-D Directors need not answer this question.
11) Procedures for Contesting Income Withholding	May contest on the basis of mistake of fact. Obligor must notify CPD within 10 days; hearing must be held within 20 days of receipt of contest and a decision be made.
12) Arrearages through Income Withholding	YES
13) Enforcing Against Non-Resident Obligor Asset/Income	YES
14) Exception to Immediate Withholding	
15) Multiple Obligations Withholding Priorities	
• Policy	The payor shall withhold payment on a pro rata basis up to the limits of the Consumer Credit Protection Act.
• Priority	Priority over all other withholdings.
• Assistance	Employers contact the appropriate CPD.

• Allocation	
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D. PATERNITY

1)	Interstate Paternity Procedures	
	Consent Orders Obtained	Yes, when possible; otherwise hearings are scheduled and blood tests/ buccal swab tests ordered.
2)	Uniform Parentage Act	YES
3)	Uniform Act on Blood Testing	YES
4)	Parentage Order Available Without Order for Support	YES
5)	Custody/Visitation Addressed Subject to Tribunal's Jurisdiction	NO
6)	Genetic Test Results as Presumption of Paternity	YES
	Threshold	99%
7)	Paternity Acknowledgment as Presumption of Paternity (Rebuttable/Conclusive)	Certificate of Parentage (COP) - Conclusive
8)	Marriage as Presumption of Paternity	YES
9)	Putative Father's Name on Birth Certificate, Effect of	Putative father' name can be on birth certificate without his signature.
10)	Other Statutory Presumptions	NO
11)	Recognition of Common Law Marriage	NO
12)	Personal Appearance of Witness or Custodial Parent Required	YES
	Acceptable Methods of Testimony	N/A
13)	Long-Arm Statute	YES
14)	Assistance to Other States Using	

Their Long-Arm Statutes	
• Service of Process	Yes; county welfare agency
• Genetic Testing	Yes; county welfare agency
15) Recovery of Genetic Testing Costs for Other States	Depends on stipulation of court order

E. SUPPORT ORDER ESTABLISHMENT

1) Interstate Procedures	Petition is received at Interstate Central Registry, processed and forwarded to Vicinage. Notice is sent to non-custodial parent; then follows expedited process (consent, hearing officer recommendation)
2) Income Considered for Setting Support	Custodial parent's gross income/ assets; non-custodial parent's gross income/ assets; prior child support court orders; child care costs; special medical needs of child; second family involvement
3) Criteria for Rebuttal	A written or specific finding on the record is required stating that the amount is unjust or inappropriate.
4) Support Order for Prior Periods	NO

F. ENFORCEMENT

(Note: If multiple orders, see Part “G”)

I. ENFORCING YOUR OWN ORDER

1) Enforcement for Non-Resident Family	Yes; if obligor remains in New Jersey, payments may be redirected although the case may not be a URESA matter. Cases can be placed under income withholding, scheduled for court, or any other enforcement remedy.
2) Administrative Procedures and Remedies Available	
3) Judicial Procedures and Remedies Available with Registration	

II. ENFORCING OTHER STATES’ ORDERS

4) Administrative Procedures and Remedies Available Without Registration	
5) Judicial/Administrative Remedies with Registration	
6) UIFSA/URESAs Registration and Enforcement Procedure	New Jersey follows 1968 RURESAs for processing orders for registration; enforcement by county probation divisions.
7) Judicial Procedures Required after Registration	None
8) Uniform Enforcement of Foreign Judgments Act Citation	NO

G. MODIFICATION/REVIEW & ADJUSTMENT OF ORDERS

1) Jurisdiction Requirements	If custodial parent resides out of state and non-custodial parent is in New Jersey, the review is conducted as if both parties were in New Jersey. If custodial parent is in New Jersey and non-custodial parent is out of state, forward Interstate Enforcement Transmittal to foreign jurisdiction. Some jurisdictions require full
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	URESAs petition.
2) Modification Procedures	On request (non-AFDC) or every three years (AFDC), advise parties that review will be conducted. Attempt consent agreement; if consent is not reached, file formal motion with consent.
3) Criteria for Modification	20% change in existing order
4) Criteria for Change of Circumstances	Whether change in circumstances is continuing and whether agreement or decree has made explicit provision for the change. An increase in support becomes necessary whenever changed circumstances substantially impair the dependent's ability to maintain a standard of living reflected in the original decree or agreement. Conversely, a decrease is called for when circumstances render all or part of the support received necessary for maintaining that standard. After finding that the dependent cannot maintain the original standard, the court must consider the extent to which support party's ability to pay permits modification.
5) Frequency With Which Reviews are Conducted	Every 3 years for AFDC cases; upon request of CP, NCP or guardian for non-AFDC cases.
6) Criteria for Review	20% change in existing order
7) Criteria for Adjustment	20% change in existing order

H. MULTIPLE ORDERS

ENFORCEMENT AND MODIFICATION

1) Controlling Order	
2) Date of Controlling Order	
3) If No Controlling Order	
4) Arrears Procedure	

I. Documentation Required to Initiate Requests

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each document	Certification required for each document *See below
Establishment of Paternity and Support	Uniform Support Petition, General Testimony for URESA, Paternity Affidavit		A
Enforcement of Responding State's Order	Verified Complaint/ Petition	3	
	General Testimony	3	
	Initiating State's URESA Laws	1	
	Initiating Court Certification	3	
	Interstate Transmittal	2	
Modification of Responding States' Orders			
Administrative Enforcement of Another States' Order			
Registration for Enforcement of Another States' Order	Certified Order and Modifications	3	A
	Obligee's Statement	1	
	Initiating State's URESA Laws	1	E
Collection of Arrearages in Multiple Orders			
Uniform Enforcement of Foreign Judgments Act			
Modification of Another State's Order			
Status Update on an Existing Interstate Case	Interstate Enforcement Transmittal	1	E

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each docu- ment	Certifi- cation required for each docu- ment <small>*See below</small>
Assistance/Discovery			
Quick Locate	Locate Data Sheet	1	E

**A= Notarization by Notary Public; B= Certification by signature of agency official;*
C= Certification by signature of court official; D= Others (please specify);
E= Certification not required

J. State Contact Chart

ASSISTANCE NEEDED	CONTACT Name, Title, Address, Phone, Fax, E-mail (include 800 if applicable)
State Information Agent	Division of Family Development Office of Child Support & Paternity Programs CN 716 Trenton, New Jersey 08625 ATTN: Eileen Coughlin or Grace Emley Telephone: (609)588-2385 FAX: (609)588-2354
Central Registry	Interstate Central Registry Administrative Office of the Courts CN 960 Trenton, New Jersey 08625 ATTN: Daniel Woods Telephone: (609)292-1084 FAX: (609)984-3630
Interstate Policy Contact (if different)	SEE: Central Registry
Contact for Information Regarding Your States Long Arm Statute and Process	SEE: State Information Agent
Contact for Information Regarding Collection and Distribution (State level)	SEE: State Information Agent
Contact to Obtain Payment Records	SEE: State Information Agent
Contact to Obtain Copy of Order	SEE: State Information Agent
Contact for States Using Their Long Arm Statutes or Continuing Exclusive Jurisdiction (no "case" in your State) for	SEE: State Information Agent
<ul style="list-style-type: none"> • Service of Process (private process server? If so , list) 	SEE: State Information Agent
<ul style="list-style-type: none"> • Genetic Testing (e.g. assistance with interstate teleconferencing) 	SEE: State Information Agent
New Hire Reporting Contact	N/A
Employer Assistance Contact	SEE: State Information Agent
Telephone Number for Automated Interstate Case <i>Status</i> Requests	(609)530-4930

(if any)	
Telephone Number for Automated Interstate Case <i>Payment</i> Requests (if any)	(609)530-4930
Privatization Contact	N/A N/A